

Regular Meeting

Minutes of the Meeting of
Michigan State Waterways Commission
February 23, 2007

Wyandotte Boat Club
Wyandotte, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Chairman Bryan Amann at 9:03 a.m. on Friday, February 23, 2007, at the Wyandotte Boat Club, Wyandotte, Michigan. The following Commissioners were present:

Bryan Amann, Chairman
Denny Bailey
Bob Brown
Janet Mansfield
Carol B. Oakley
Todd Wyett

Commissioner Curtis Hertel, Sr. was absent.

Parks and Recreation Chief Ron Olson and other Department of Natural Resources (DNR) staff were present.

Chairman Amann thanked the City of Wyandotte, Mayor DeSana, and his staff for yesterday's tour.

Public Appearances

Written correspondence

The Commission did not receive any written correspondence.

Appearances

Mr. Karl Tomion, the City Manager from the City of Port Huron addressed the Commission regarding the Water Street Marina. Acheson Ventures is still interested in acquiring the marina.

Staff related that the Harbor Development Fund is not a good option for this property. The Department is looking for a reasonable compromise that would provide a benefit to boaters in the area (boat storage was given as an example). The Commission requested that the City provide information on the value of the facility.

Mr. Ray Strathman of Atcheson Ventures stated that it will cost \$2,300,000 to bring the marina back into use, with an additional \$2,000,000 to \$4,000,000 of expenditures predicted to keep it open to the public.

Staff will work with the City of Port Huron to develop a plan for this facility and the return of Waterways funds.

Minutes

December 1, 2006

MOTION: Commissioner Bailey moved to approve the minutes of the December 1, 2006 Michigan State Waterways Commission meeting. The motion was seconded by Commissioner Mansfield and it carried unanimously.

Old Business:

Project Status Report

Mr. Paul Petersen provided an update on current projects as follows:

Marinas/Harbors:

- Phase II of the Mackinaw City State Harbor (Cheboygan County) project has been completed. This phase included dredging, rip rap, fender removal, and launch construction.
- The Cheboygan Lock and Dam (Cheboygan County) requires infrastructure repair. The Department of Environmental Quality (DEQ) has concerns regarding the dredge materials (they are requiring deposit in a type II landfill which is costly). The permit is expected in March 2007.
- The project at Leland Harbor (Leelanau County) includes facility infrastructure renovation. Staff is working on permit issues with the U.S. Army Corps of Engineers (USACE).
- The contracts are underway for the Charlevoix Municipal Marina (Charlevoix County) for Phase I and II marina work and a floating pier system. Work has begun and is expected to be completed by April 20, 2007. The city has approved the plan for Phase III and the paperwork is being finalized.
- The project at St. Clair Harbor (St. Clair County) includes dock removal and replacement, dredging, storage building construction, and parking lot redevelopment. Work will be completed in May 2007.

Clean Marina Designations

The following facilities received clean marina designations:

- Presque Isle State Dock
- Hammond Bay State Harbor
- Mackinac Island State Dock

Boating Access Sites (BAS)

- The project at the Forks BAS (Cheboygan County) is in the design phase.
- Construction will begin April 1, 2007, for the dredge project at Sterling State Park BAS (Monroe County)
- The paving project at West Houghton Lake BAS (Roscommon County) is in the engineering phase, will start late summer, and is scheduled to be completed in the fall.
- Montague BAS (a grant-in-aid [GIA] facility, Muskegon County) is formalizing its parking and circulation project
- Onekama BAS (GIA, Manistee County) is undergoing a breakwater project.

Proposed Walloon Lake BAS

Ms. Vickie Anthes provided a review of a proposal for the Walloon Lake BAS utilizing an existing road ending (currently serving as a boat launch) that is not publicly owned. An area across M-75 is proposed for parking. The location is not preferred to the Forest, Mineral, and Fire Management (FMFM) site. There is still a vocal group of residents who oppose the FMFM location. This proposed site does not include enough area for maneuvering.

The Waterways Commission and DNR staff have spent the past 15 months looking at every other available option on Walloon Lake to the FMFM site. Mr. Gene Thompson (President of the Walloon Lake Association) requested the time frame for construction of the BAS. Assuming the DNR receives approval and proceeds with the BAS at the FMFM site, it would take approximately 14 to 18 months for construction to be completed. This item will appear on the agenda for the April 20, 2007 Waterways Commission meeting.

Idlewild

The DNR is involved with an effort to reinvigorate the use of Idlewild Lake in Yates Township (Lake County). This includes development of a carry-down boat launch and a small park.

Operations Status Report

Mr. Harold Herta provided an update on operations.

- As of February 17, 2007, reservations through the Central Reservation System (CRS) are up (as compared to 2006) 4.3 %, with reserved slip nights up 6.4%, and cancellations down 12%.
- Harrisville Harbor has been added to the CRS. Staff expects to add Manistee and Boyne City. With these additions, there will be 40 marinas in the CRS.
- The City of Muskegon and DNR staff met to discuss the Milwaukee Clipper's use of the parking lot at the small boat basin. Staff told the City that the parking could not be used for Milwaukee Clipper patrons. They also discussed the proposal to move the farmers' market utilizing the City's remaining grant funds. In order for this to be approved, the City of Muskegon would have to show a direct benefit to boaters.

- The Marl Lake Land Use Order was signed by Director Humphries on December 7, 2006, and has gone into effect.
- The proposal to add nine new BAS to the fee site category, and the change in the language regarding attendants and fee collection were both signed on January 2, 2007, and will go into effect this spring.
- House Bill 4143 was recently introduced and, if passed, will decriminalize a large number of boating related offenses. These items include speed limit and no-wake violations, as well as water skiing after dark and collision avoidance. The bill would change these from misdemeanor statutes to civil infractions.

Standing Committees

The Finance Committee met to discuss revenue (actual and projected) for 2007 and 2008. The Committee also discussed a proposed fee increase for Alanson Lock.

The Facility, Operations/Policy, and Boating Access Committee met and discussed the variance requests that appeared on the agenda.

New Business:

Village of Elk Rapids Variance Request

The variance request from the Village of Elk Rapids was in regard to a boat show on May 19 and 20, 2007. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Oakley moved to approve this request as recommended by staff. The motion was seconded by Commissioner Brown and it carried unanimously.

Caseville Variance Request

The Caseville variance request sought to charge a variable rate for larger slips for boats 30 feet and under. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Mansfield moved to approve this request. The motion was seconded by Commissioner Oakley and it carried unanimously.

City of Bay City Variance Request

The City of Bay City, Liberty Harbor Marina is seeking an assortment of fees, a change in rates, and permission to provide a lease to Hooters. This request was approved in 2006. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Bailey moved to approve the variance. The motion was seconded by Commissioner Mansfield and it carried unanimously.

Boyne City Variance Request

Boyne City has requested use of premium rates for seasonal and transient boaters at the Grant Moore Municipal Marina. They are in the process of adding the marina to the

CRS. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Bailey moved to approve this request. The motion was seconded by Commissioner Wyett and it carried unanimously.

City of Grand Haven Request

The City of Grand Haven requested a variance for various events. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Bailey moved to approve this variance. The motion was seconded by Commissioner Brown and unanimously approved.

Elmwood Township Variance Request

The variance for Elmwood Township requested the ability to allow vessels up to 31.5 feet to moor in its 30 foot slips. The Township is seeking DEQ approval for this request and is asking for Waterways Commission approval contingent on DEQ approval.

MOTION: Commissioner Bailey moved to approve this request. The motion was seconded by Commissioner Oakley and it carried unanimously.

City of New Buffalo Variance Request

The City of New Buffalo is requesting permission to allow overflow beach parking at the BAS. Staff is concerned about separation of the fees and is asking for consistent rates. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request. New Buffalo Mayor Bob Westergren reviewed the parking issues with the Commission.

MOTION: Commissioner Wyett moved to approve the City's request on a one-year basis with the requirement for a follow-up report. Commissioner Mansfield seconded the motion and it carried unanimously.

City of Big Bay Variance Request

The City of Big Bay requested permission to charge a reduced rate (Rate Area 4). The Facility, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Bailey moved to approve the variance. The motion was seconded by Commissioner Mansfield and it carried unanimously.

City of St. Clair Variance Request

The City of St. Clair requested a variance to provide a mid-week special. This is the third year for this request. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this variance.

MOTION: Commissioner Bailey moved to approve this request. The motion was seconded by Commissioner Mansfield and it carried unanimously.

City of Muskegon Variance Request

The City of Muskegon requested the ability to charge the 2006 rates for the 2007 boating season. Staff recommends the City charge the 2007 rates for Rate Area 1. The Facility, Operations/Policy, and Boating Access Committee recommended approval of the staff recommendation.

MOTION: Commissioner Bailey moved to approve this request as recommended by staff. The motion was seconded by Commissioner Wyett and it carried unanimously.

City of Marquette Variance Request

The City of Marquette variance seeks a rate increase (Rate Area 4) above those approved by the Waterways Commission. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this variance.

MOTION: Commissioner Bailey moved to approve this variance. The motion was seconded by Commissioner Brown and it carried unanimously.

Seasonal Slips at State Owned Harbors

The DNR is requesting flexibility with regard to seasonal slips and is attempting to bring more boats in to state-owned harbors. The Facility, Operations/Policy, and Boating Access Committee recommended approval of this variance.

MOTION: Commissioner Bailey moved to approve this request. The motion was seconded by Commissioner Oakley and it carried unanimously.

Strategic Planning Report

Ms. Vicki Anthes updated the Commission on the Strategic Planning process. Staff is looking to finalize this process by the end of the year.

A number of public input meetings, all from 6:00 to 8:00 p.m., are scheduled as follows:

- March 20, at the RAM Center
- March 21, in the Grand Rapids area
- March 22, at Cabella's in Dundee
- April 9, at Little Bear East Arena in St. Ignace
- April 10, at the Holiday Inn in Marquette

A visioning workshop will occur on April 25 and 26, at the RAM Center.

Other Business:

Draft Naming Policy Review

Chief Deputy Dennis Fedewa provided a review of the Department's Draft Naming Policy.

City of Charlevoix

Commissioner Wyett updated the Commission regarding seasonal and commercial slips for the City of Charlevoix. The City will be asked to submit a variance request for the April 20, 2007 Waterways Commission meeting.

MOTION: Commissioner Wyett moved to adjourn this meeting of the Michigan State Waterways Commission. The motion was seconded by Commissioner Bailey and unanimously approved.

This meeting of the Michigan State Waterways Commission adjourned at 12:06 p.m.